



## **STAFF REPORT**

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### **Approving an Amendment to the Conditions of Approval for 2518 Ralston Avenue (APN 043-322-650) to Allow Occupancy by Accepting a Letter of Credit as Additional Security for the Relocation of an Existing Joint Power Pole and Other Outstanding Roadway Improvements**

Honorable Mayor and City Council:

#### **Summary**

The property owners of 2518 Ralston Avenue are asking the City Council to amend a condition of approval for their property to allow occupancy prior to the completion of all roadway improvements and the relocation of an existing joint power pole on the Ralston Avenue frontage road. The property owners will provide a \$40,000 letter of credit as additional security for the relocation of an existing joint power pole and other roadway work. Staff recommends that the conditions of approval be amended to allow occupancy prior to the completion of all roadway improvements.

#### **Background and Discussion**

In early June 2004, Reem Faddah and Ahmad Abdel-Rahman, the current owners of 2518 Ralston Avenue, indicated to staff that construction of their building is near completion. They requested that a Planning Commission condition of approval be amended to allow occupancy of their building prior to relocation of an existing power pole and completion of roadway improvements on the Ralston frontage road accessing their property. At that time, the property owners proposed to share the responsibility of a \$50,000 bond for pole relocation and also a \$75,000 bond for roadway improvements with the owners of 2514 Ralston Avenue.

The City Council heard this item at the June 22, 2004 meeting and agreed with the staff recommendation not to amend the condition to allow occupancy. The Council directed the applicant to work with staff to develop a proposal for release of occupancy that satisfactorily addresses safety and liability concerns and ensures that the roadway improvement will be completed in a timely manner.

Staff is now satisfied that the applicant offers to complete sufficient work and post sufficient moneys to address safety/liability concerns and ensure the roadway work will be completed in a timely manner. After the council meeting, staff had several discussions with the property owners. The property owners now offer to post a \$40,000 letter of credit as additional security for the relocation of the existing power pole and agree to complete the majority of roadway improvement work identified as punch list items. This includes paving the Ralston Avenue Frontage Road around the joint power pole. As a temporary measure, they will install barricades, signage and striping to protect the power pole and vehicular traffic prior to its relocation. After PG&E relocates the power pole, they will remove the temporary barricades, signage and striping and will patch the pavement prior to complete the roadway improvement plan agreement.

### **Fiscal Impact**

There is no fiscal impact to the City for either accepting or rejecting the applicant's proposal. All costs for the pole relocation and other improvement works are the owners' responsibility.

### **Recommendation**

Staffs recommend that the City Council amend the 2002 Planning Commission condition of approval for 2518 Ralston Avenue to allow release of occupancy prior to the completion of the pole relocation and some minor roadway improvements.

### **Alternatives**

1. Refer back to staff for further information.
2. Deny the request to allow occupancy prior to the pole relocation and the completion of all roadway improvements.

### **Attachments**

1. Resolution
2. Site map

Respectfully submitted,

Gilbert Yau, PE  
Senior Civil Engineer

Raymond E. Davis III, PE, PTOE  
Director of Public Works

Jere A. Kersnar  
City Manager

**RESOLUTION NO. \_\_\_\_\_**

**CITY OF BELMONT  
San Mateo County California**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT APPROVING  
AN AMENDMENT TO THE CONDITIONS OF APPROVAL TO ALLOW OCCUPANCY  
FOR 2518 RALSTON AVENUE (APN 043-322-650) BY ACCEPTING A LETTER OF  
CREDIT AS ADDITIONAL SECURITY FOR THE RELOCATION OF AN EXISTING  
JOINT POWER POLE AND OTHER OUTSTANDING ROADWAY IMPROVEMENTS**

WHEREAS, Reem Faddah and Ahmad Abdel-Rahman are the property owners of 2518 Ralston Avenue, Assessor's Parcel No. 043-322-650; and,

WHEREAS, the City Council of the City of Belmont by Resolution No. 7407, adopted on January 11, 1994, approved the Road Improvement Plan entitled "Preliminary Plan, Belmont Canyon Road, Belmont, CA", for which access to said parcels is to be provided; and,

WHEREAS, the Planning Commission approved a building permit for 2518 Ralston Avenue on March 19, 2002 with a condition that all the roadway improvements on Ralston Avenue frontage road be completed prior to the release of occupancy of the building; and,

WHEREAS, the property owners are requesting the City Council to amend the conditions of approval to allow occupancy of their building prior to the relocation of an existing power pole and some roadway improvements on Ralston Avenue frontage road; and,

WHEREAS, the property owners of 2518 Ralston Avenue will provide a \$40,000 letter of credit as additional security for the completion of the pole relocation and other outstanding roadway improvements; and,

WHEREAS, prior to the release of occupancy, the property owners will complete the paving of the Ralston frontage road around the power pole along with the majority of the roadway punch list items and will install barricades, signage and striping to protect the power pole and vehicular traffic prior to the completion of the pole relocation.

NOW THEREFORE, BE IT RESOLVED that the City Council of City of Belmont approve an amendment to the conditions of approval for 2518 Ralston Avenue to allow occupancy of the building by accepting a letter of credit as additional security for the relocation of an existing joint power pole and other outstanding roadway improvements on Ralston Avenue Frontage Road.

\* \* \* \* \*

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on July 13, 2004.

AYES, COUNCILMEMBER(S): \_\_\_\_\_

NOES, COUNCILMEMBER(S): \_\_\_\_\_

ABSTAIN, COUNCILMEMBER(S): \_\_\_\_\_

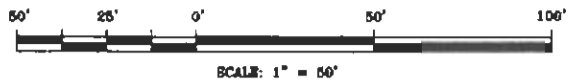
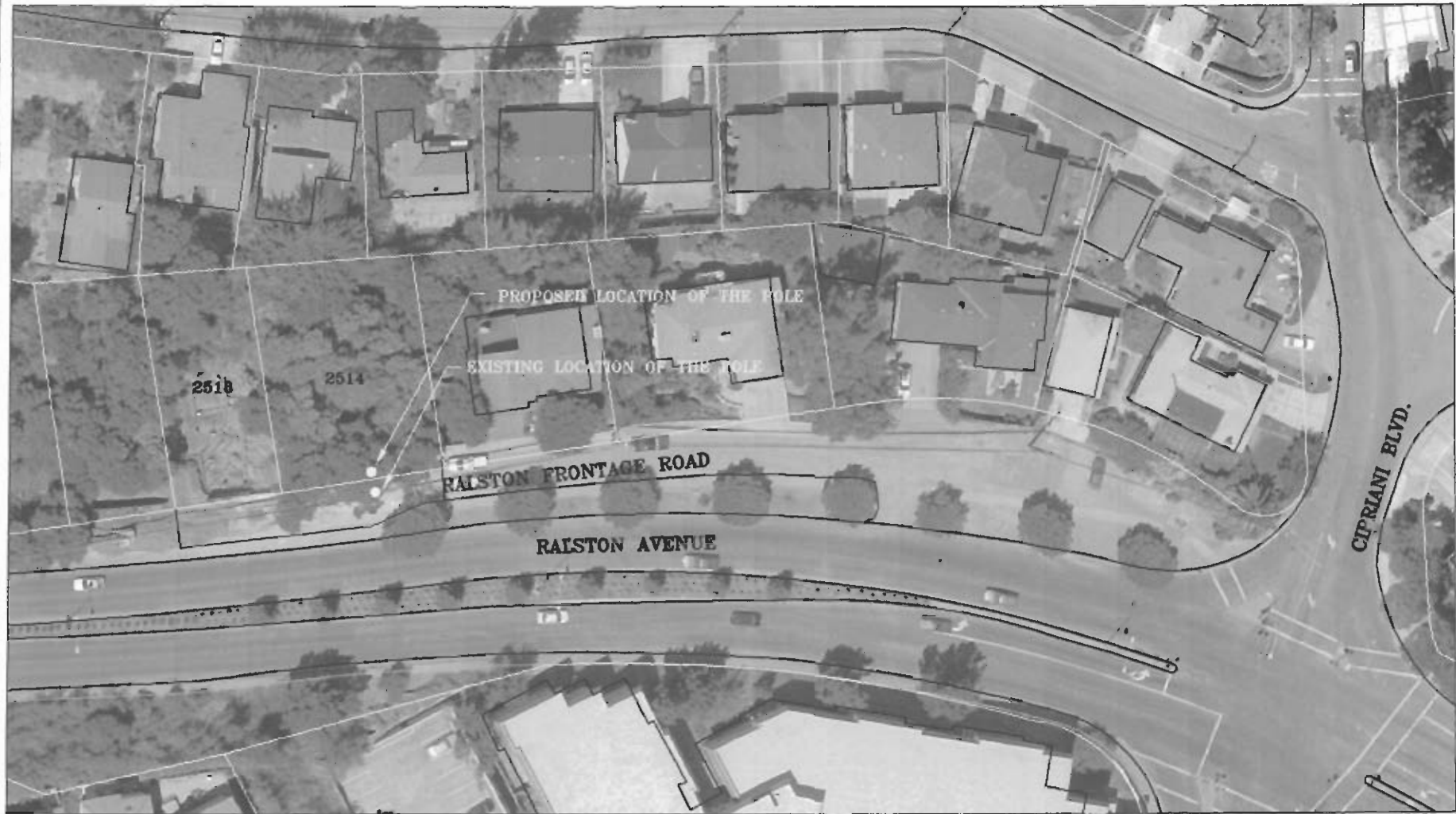
ABSENT, COUNCILMEMBER(S): \_\_\_\_\_

\_\_\_\_\_  
CLERK of the City of Belmont

APPROVED:

\_\_\_\_\_  
Mayor of the City of Belmont





## SITE MAP

